

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Clarence N. Ahlem, et al.
Application No. : 10/602,330
Filed : June 23, 2003
Title : Pharmaceutical Compositions and Treatment Methods
5 Examiner : Barbara P. Badio

Group Art Unit : 1617
Customer No. : 26551
Confirmation No. : 9052
10 Docket No. : 202.2D2

COMMUNICATION

15 Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

20 Applicants submit this paper by electronic submission.

Applicants submit this paper to comply with the new disclosure requirement the U.S. Court of Appeals for the Federal Circuit announced on February 23, 2007 in *Hakim v. Cannon Avent Group, PLC*, case No. 2005-1398. The Office is hereby informed that

25 this application is a continuation application of commonly owned U.S. Patent No. 6,667,299, filed March 23, 2000. Applicants expressly rescind any surrendered or disclaimed claim scope that arose from prosecution of U.S. Patent No. 6,667,299. Applicants expressly rescind any surrendered or disclaimed claim scope in view of (1) the rejection under 35 USC §103 of any claims to the compound 16 α -

30 bromoepiandrosterone hemihydrate or formulations that contain the compound in view of EP 429 187 B1 (of record), (2) any unclaimed subject matter that the original specification disclosed or (3) cancellation of any claim in prosecution, including any claim cancellation to comply with any restriction requirement.

35 Date: March 13, 2007
Hollis-Eden Pharmaceuticals, Inc.
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Respectfully submitted,
/ Daryl D. Muenchau /

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